

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

BLAKE WATTERSON,

§

v.
Plaintiff,

§
§

Civil Action No. 4:23-cv-00080
Judge Mazzant

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES et al.,

§
§
§

Defendants.

ORDER

Pending before the Court is Defendants' Opposed Motion to (1) Extend Deadline to Respond to Plaintiff's Motion for Summary Judgment and (2) Stay Defendants' Deadline to Answer or Otherwise Respond (Dkt. #30). Having considered the relevant pleadings, the Court finds that the Motion should be **GRANTED**.

Plaintiff filed his Motion for Summary Judgment (Dkt. #6) on January 31, 2023—the same day that he filed his Complaint (Dkt. #1). On February 9, 2023, the parties filed a joint motion requesting a deadline of March 31, 2023, for Defendants to respond to the motion and a deadline of April 7, 2023, for Plaintiff to reply (*See* Dkt. #17). On March 8, 2023, the Court granted the joint motion (Dkt. #28). On March 23, 2023, Defendants filed their Opposed Motion to (1) Extend Deadline to Respond to Plaintiff's Motion for Summary Judgment and (2) Stay Defendants' Deadline to Answer or Otherwise Respond (Dkt. #30). On March 24, 2023, Plaintiff filed his Response in Opposition to Defendants' Opposed Motion to (1) Extend Deadline to Respond to Plaintiff's Motion for Summary Judgment and (2) Stay Defendants' Deadline to Answer or Otherwise Respond (Dkt. #31).

Defendants request a 30-day extension of their deadline to respond to Plaintiff's summary judgment motion (Dkt. #30 at p. 4). Defendants further request a stay of their obligation to answer or otherwise respond to the Complaint until after the Court addresses the parties' summary judgment submissions (Dkt. #30 at p. 5).

Under Rule 6(b)(1)(A), the Court has discretion to extend a deadline to file if there is good cause and the request is made before the original time or its extension expires. FED. R. CIV. P. 6(b)(1)(A). Here, Defendants made their request for an extension of time to respond to Plaintiff's motion for summary judgment before the deadline to respond expired. Given the procedural posture of this case, the Court finds there is good cause to extend Defendants' deadline to respond. Therefore, Defendants' deadline to respond to Plaintiff's motion for summary judgment is June 17, 2024.

Additionally, the Court finds that a stay of Defendants' answer deadline will "promote efficient and economical use of judicial, counsel, and litigant resources." *MRP Properties, LLC v. United States*, No. 17-CV-11174, 2017 WL 11518355, at *1 (E.D. Mich. Oct. 5, 2017) (citing *Kerotest Mfg. Co. v. C-O-Two Fire Equip. Co.*, 342 U.S. 180, 183 (1952)) (extending answer deadline pending resolution of motion to dismiss or sever plaintiffs). Plaintiff argues that "an answer can help crystallize a dispute by revealing what portions of a Complaint are undisputed" (Dkt. #31 at p. 7). However, Plaintiff has opted to skip this step of clarification and instead filed a motion for summary judgment before any answer was filed. Now it is possible that this case is resolved on summary judgment, which would make any answer or other response to Plaintiff's Complaint wholly unnecessary. Therefore, the Court finds good cause to stay Defendants' obligation to answer or otherwise respond to Plaintiff's Complaint until the Court resolves the parties' summary judgment

submissions. If necessary, the Court shall set Defendants' answer deadline in its order regarding summary judgment.

It is **ORDERED** that Defendants' Opposed Motion to (1) Extend Deadline to Respond to Plaintiff's Motion for Summary Judgment and (2) Stay Defendants' Deadline to Answer or Otherwise Respond (Dkt. #30) is **GRANTED**.

Specifically, it is **ORDERED** that Defendants' deadline to respond to Plaintiff's Motion for Summary Judgment is June 17, 2024. Any reply or sur-reply shall be filed in compliance with the deadlines set forth in this Court's Local Rules.

It is further **ORDERED** that Defendants' obligation to answer or otherwise respond to Plaintiff's Complaint (Dkt. #1) is stayed pending the Court's resolution of the parties' summary judgment submissions, as necessary.

IT IS SO ORDERED.

SIGNED this 16th day of May, 2024.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE